

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA)	
)	
v.)	Criminal Nos. 2:15-252
)	2:21-266
FORREST GILMORE,)	Judge Cathy Bissoon
)	
Defendant.)	

MEMORANDUM OPINION

Defendant’s Motions (Docs. 243 at 15-252; 253 at 21-266) for a reduction in sentence under Amendment 821 are denied. Defendant seeks a sentence reduction under Part A to Amendment 821 addressing “status points.” For the reasons set forth by the Government, however, Defendant fails to qualify for relief under this provision. *See* Doc. 245 at 15-252; Doc. 261 at 21-266. Defendant was sentenced in Criminal Action No. 21-266 in January, 2024 (Doc. 232), *after* Amendment 821’s 2023 effective date, and, consequently, zero status points were added to his criminal history score. *See* Doc. 218 (Presentence Investigation Report) ¶ 40 (citing Guideline Section 4A1.1). Defendant likewise did not receive any status points for his underlying conviction at Criminal Action No. 15-252. *See* Doc. 108 (Presentence Investigation Report) ¶ 32. Thus, the Amendment would not have reduced his revocation guideline range. Defendant’s citation to his rehabilitation efforts while incarcerated does not change this result. Although such efforts are admirable, they are not a relevant factor in applying Amendment 821 here.

For these reasons, Defendant's Motions (**Doc. 243** at 15-252; **Doc. 253** at 21-266) will be **DENIED**. An order will be filed herewith.¹

April 4, 2025

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via ECF email notification):

All Counsel of Record

cc (via First-Class U.S. Mail):

Forrest Gilmore
36350-068
FCI Schuylkill
P.O. Box 759
Minersville, PA 17954

¹ The Court will file form-order AO 247, titled, "Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)." The document is used to facilitate the Sentencing Commission's collection and reporting of data regarding motions filed pursuant to Amendment 821. The second page of the two page form-order is not intended for public disclosure. Accordingly, the Court will transmit to Defendant this Memorandum Opinion and page 1 of form-Order AO 247, but not page 2. Importantly, the information supplied on page 2 – a statement of reasons for the Court's decision – is identical to the contents of this Memorandum Opinion. No information has been withheld.